

Jones	Ramsey
Knight	Shivers
Lane	Stanford
Lanning	Stone
Martin	Sulak
Mauritz	Taylor
Metcalf	Vick
Moffett	Weinert
Moore	Winfield
Morris	York
Parrish	

Absent—Excused

Kelley	Spears
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Adjournment

On motion of Senator Lanning, the Senate, at 12:10 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

FIFTY-FIFTH DAY

(Tuesday, April 10, 1945)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by the President pro tempore.

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield
Metcalf	York

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence Granted

Senator Kelley was granted leave of absence for today on account of important business on motion of Senator Stone.

Reports of Standing Committees

Senator Vick submitted the following reports:

Austin, Texas,
April 9, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 312, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

VICK, Chairman.

Austin, Texas,
April 9, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 314, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

VICK, Chairman.

Austin, Texas,
April 9, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 271, have had the same under consideration and I am instructed to report back to the Senate with the recommendation that the original bill do not pass but that the Committee Substitute do pass in lieu thereof and be printed.

VICK, Chairman.

Senator Chadick submitted the following report:

Austin, Texas,
April 9, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Counties and County boundaries to whom was referred H. B. No. 152, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHADICK, Chairman.

Senator Carney submitted the following reports:

Austin, Texas,
April 10, 1945.

Sir: We, your Committee on Game and Fish, to whom was referred H. B.

No. 803, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 796, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 790, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 759, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 757, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game

and Fish, to whom was referred H. B. No. 756, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 743, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 670, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 639, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 632, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of
the Senate.

Sir: We, your Committee on Game
and Fish, to whom was referred H. B.
No. 611, have had same under con-
sideration and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass and
be not printed.

CARNEY, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of
the Senate.

Sir: We, your Committee on Game
and Fish, to whom was referred H. B.
No. 433, have had same under con-
sideration and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass and
be not printed.

CARNEY, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of
the Senate.

Sir: We, your Committee on Game
and Fish, to whom was referred H. B.
No. 427, have had same under con-
sideration and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass and
be not printed.

CARNEY, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of
the Senate.

Sir: We, your Committee on Game
and Fish, to whom was referred H. B.
No. 405, have had same under con-
sideration and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass and
be not printed.

CARNEY, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of
the Senate.

Sir: We, your Committee on Game
and Fish, to whom was referred H. B.
No. 401, have had same under con-
sideration and I am instructed to re-

port it back to the Senate with the
recommendation that it do pass and
be not printed.

CARNEY, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of
the Senate.

Sir: We, your Committee on Game
and Fish, to whom was referred H. B.
No. 351, have had same under con-
sideration and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass and
be not printed.

CARNEY, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of
the Senate.

Sir: We, your Committee on Game
and Fish, to whom was referred H. B.
No. 378, have had same under con-
sideration and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass and
be not printed.

CARNEY, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of
the Senate.

Sir: We, your Committee on Game
and Fish, to whom was referred H. B.
No. 349, have had same under con-
sideration and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass and
be not printed.

CARNEY, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of
the Senate.

Sir: We, your Committee on Game
and Fish, to whom was referred H. B.
No. 265, have had same under con-
sideration and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass and
be not printed.

CARNEY, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of
the Senate.

Sir: We, your Committee on Game

and Fish, to whom was referred H. B. No. 14, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Senator Lanning submitted the following reports:

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred S. B. No. 317, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANNING, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred S. B. No. 194, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANNING, Chairman.

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred S. B. No. 40, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass as substituted and be printed.

LANNING, Chairman.

Senator Sulak submitted the following report:

Austin, Texas,
April 9, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred S. B. No. 274, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments and be printed.

SULAK, Chairman.

Senator Mauritz submitted the following reports:

Austin, Texas,
April 9, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 127 by Mauritz, have had said bill under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MAURITZ, Chairman.

Austin, Texas,
April 9, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 347 by Fertsch et al, have had said bill under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MAURITZ, Chairman.

Austin, Texas,
April 9, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 315 by Stone, have had said bill under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MAURITZ, Chairman.

Senator Shivers submitted the following report:

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred H. B. No. 801, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SHIVERS, Chairman.

Executive Session

On motion of Senator Winfield, and by unanimous consent, the Senate, at 10:10 o'clock a. m., went into executive session.

Accordingly, the floor and galleries

were cleared of those not entitled to the executive session, and the doors leading from the Senate Chamber were closed.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the following report had been adopted by the Senate:

Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Nominations by the Governor, to whom were referred the following nominations:

To be Public Weighers in and for Galveston County for two year terms to expire April 5, 1947:

M. R. Howell of Galveston, Galveston County.

E. H. Thornton of Galveston, Galveston County.

A. J. Biron of Galveston, Galveston County.

L. S. Dennis of Galveston, Galveston County.

J. J. Tarpey of Texas City, Galveston County.

J. C. Murphy of Galveston, Galveston County.

V. A. Smith of Galveston, Galveston County.

E. W. Smith of Galveston, Galveston County.

E. G. Lewis of Galveston, Galveston County.

T. J. Gallagher of Galveston, Galveston County.

M. C. Hoecker of Galveston, Galveston County.

Ben Levy of Galveston, Galveston County.

W. J. Peterson of Texas City, Galveston County.

S. T. Walker of Galveston, Galveston County.

To be Public Weigher in and for Lubbock County for a two year term to expire April 2, 1947:

J. M. Mullins of Lubbock County.

Have had the same under consideration, and do recommend that they be in all things confirmed.

WINFIELD, Chairman.

In Legislative Session

The President called the Senate to order as in legislative session at 10:17 o'clock a. m.

Senate Joint Resolution 15 on Passage to Engrossment

The President laid before the Senate, as unfinished business on its passage to engrossment (the resolution having been read second time on March 27, 1945):

S. J. R. No. 15, "Providing for a Constitutional Convention to be assembled in the City of Austin on the First Monday in October, 1947, for the purpose of framing a new constitution; specifying the number of delegates and prescribing the qualifications of electors and the manner of conducting the election; designating the returning officers; authorizing the Governor to issue the proclamation convening the elected delegates, authorizing the Governor to issue his proclamation ordering said election and making an appropriation to defray the expense of said convention and also making an appropriation to defray the expenses of issuing and publishing said proclamation."

With the following amendment by Senator Moore pending:

Amend Section 4 of S. J. R. 15 by changing the words "For the Constitutional Convention," and "against the Constitutional Convention" to the words "For the Constitutional Convention to write a new constitution without permitting the people to vote on such new constitution."

"Against the Constitutional Convention to write a new constitution without permitting the people to vote on such new constitution."

Senator Chadick offered the following substitute for the amendment:

Amend S. J. R. No. 15 by striking out lines 17 through 61, page 1 of the printed resolution and inserting in lieu thereof the following:

"Section 1. That an election shall be held on the 28th day of July A. D. 1945, to determine if the qualified voters of Texas desire a Constitutional convention to assemble in the City of Austin, Texas, on the first Monday in October, 1946, to rewrite the Constitution. Such election to be governed and controlled by the laws now in force in regard to general elections; and at the election the qualified voters shall vote whether or not they want a Constitutional convention. There shall be printed on the ballots to be used in said election the words, "For a Constitutional Convention," and the words "Against a Constitutional Con-

vention," and all voters who favor a Constitutional convention shall erase the words "Against a Constitutional Convention" by drawing a line through said words; and all voters who oppose a Constitutional convention shall erase the words "For a Constitutional convention" by drawing a line through said words, and if the majority of the votes cast at such election favor calling a Constitutional convention, then said convention shall be called, as hereinafter provided; and if a majority of the votes cast is opposed to a Constitutional convention, then no convention shall be called under this resolution.

"Sec. 2. If at such election a majority of the qualified voters voting at such election shall favor a Constitutional convention, an election of delegates to the Constitutional convention shall be held throughout the State on the fourth Saturday in July A. D., 1946.

"Sec. 3. Such delegates shall be chosen and elected by voters of the State of Texas, qualified to vote, under existing laws for members of the Legislature. The qualified voters of each Representative district entitled to elect a member of the Legislature at the time such election shall be held, shall elect one delegate for each such member of the House of Representatives.

"Sec. 4. Any qualified voter in the State possessing the qualifications of a member of the House of Representatives in the State Legislature shall be qualified to act as a delegate to such Constitutional convention, and no State, District or local officer shall be disqualified to serve as a delegate in this convention, nor shall such service vacate any office, provided, that no person holding an elective or appointive office in this State shall receive compensation for service as a delegate to said convention while drawing an annual or monthly salary from the State or any political subdivision thereof.

"Sec. 5. Each delegate entitled to receive compensation shall receive for his service in said convention the sum of ten (\$10) dollars per day and actual cost of transportation from his home to the State Capitol and return. Said per diem and cost of transportation to be approved by the President and Secretary of the convention and paid by the State Treasurer upon warrants drawn and approved by the Comptroller of Public Accounts. The

convention shall be governed and controlled by its own rules of procedure and shall be the sole judge of the qualifications and election of its members, subject only to the limitations of this resolution.

"Sec. 6. The sum of one hundred fifty thousand (\$150,000) dollars, or so much thereof as may be necessary, is hereby appropriated out of the general revenue not otherwise appropriated, to pay the mileage and per diem of the delegates, per diem of officers and employees and contingent expenses of the convention.

"Sec. 7. All elections provided for in this resolution shall be held in accordance with the provisions of this resolution and general laws in force respecting general elections.

"Sec. 8. The Governor shall issue his proclamation upon the passage of this joint resolution, in due time, directing the several officers of this State empowered by law to conduct, manage and supervise elections under the laws of Texas, and as now provided by this joint resolution, to hold said elections, and make return of the results of the same.

"Sec. 9. The Constitution for the State of Texas to be framed by the convention shall be submitted to the qualified voters of the State for their ratification or rejection at an election to be held throughout the State of Texas not sooner than thirty (30) days nor longer than one hundred twenty (120) days after the adjournment of such convention and the Constitution so submitted shall be in the form, substance and manner directed by the convention.

"Sec. 10. The Governor of the State is hereby authorized and directed to issue such necessary proclamation and have the same published, as required by the Constitution for amendments thereto, for said elections and to call said Constitutional convention, if a majority of the qualified voters of the State shall favor a Constitutional convention, and a proclamation authorizing the election of delegates as herein provided for, and the sum of ten thousand (\$10,000) dollars, or so much thereof as may be necessary, is hereby appropriated out of the Treasury of the State, not otherwise appropriated, to defray the necessary expense of such publication and election.

The substitute was adopted.

Question recurring on the amend-

ment, as substituted, it was adopted.

On motion of Senator Chadick, and by unanimous consent, the caption was amended to conform with the body of the resolution as amended.

Senator Aikin offered the following amendment to the resolution:

Amend S. J. R. 15 by adding the following at the end of Section 4: "All sessions of the convention shall be open to the public."

The amendment was adopted.

Senator Spears offered the following amendment to the resolution:

Amend Sec. 4 by striking out on line 4 the word "disqualified" and substitute therefor the word "qualified."

The amendment was adopted.

On motion of Senator Morris, and by unanimous consent, the provisions of the foregoing amendment by Senator Spears were made applicable to all Federal officers and employees.

Senator Spears offered the following amendment to the resolution:

Amend Sec. 4 by placing a period after the word "Convention" and by striking out all the balance of said section after the word "Convention."

The amendment was adopted.

Senator Spears offered the following amendment to the resolution:

Amend S. J. R. No. 15 by striking out Section 3 and inserting in lieu thereof the following:

Sec. 3. There shall be 150 delegates to be numbered from 1 to 150, and each of said delegate to be elected by a majority vote of the qualified voters of the State.

(Pending consideration of the amendment, the President pro tempore occupied the Chair temporarily.)

(President in the Chair.)

Senator Chadick moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—16

Aikin	Lane
Bullock	Lanning
Carney	Mauritz
Chadick	Moffett
Crawford	Morris
Graves	Ramsey
Jones	Shivers
Knight	Sulak

Nays—13

Brown	Stone
Martin	Taylor
Metcalfe	Vick
Moore	Weinert
Parrish	Winfield
Spears	York
Stanford	

Absent

Hazlewood

Absent—Excused

Kelley

Senator Sulak offered the following amendment to the resolution:

Amend S. J. R. No. 15 by adding another section properly numbered reading as follows:

The convention shall provide for the publication and distribution of not less than one hundred thousand copies, in pamphlet form of the proposed Constitution through the county judges of the several counties of the State, the distribution to be based on number of qualified voters in the respective counties.

The amendment was adopted.

Senate Joint Resolution No. 15 was passed to engrossment by the following vote:

Yeas—17

Aikin	Moffett
Chadick	Morris
Crawford	Parrish
Graves	Ramsey
Hazlewood	Spears
Knight	Stanford
Lane	Stone
Lanning	Sulak
Mauritz	

Nays—13

Brown	Shivers
Bullock	Taylor
Carney	Vick
Jones	Weinert
Martin	Winfield
Metcalfe	York
Moore	

Absent—Excused

Kelley

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 9, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to

inform the Senate that the House has passed the following bills and resolution:

H. B. No. 12, A bill to be entitled "An Act making it unlawful for any person, firm, partnership, corporation or other business entity of any kind to discriminate against any person seeking employment, or employed, to labor or perform services of any kind in Texas; defining terms used; providing that this Act shall not apply to any existing contracts; providing civil and criminal penalties; providing enforcement by civil procedure and the officers whose duty it is to enforce this Act; declaring rules of construction; containing a saving clause with respect to constitutional invalidity; and declaring an emergency."

Complying with the request of the Senate for conference committee on S. J. R. No. 8 the following conferees have been appointed on the part of the House: McMurry, Foster, Svadlenak, Grisham, Isaacks.

H. B. No. 535, to amend Section 39, Article 199, Revised Civil Statutes of Texas, 1952, as amended, providing for continuous terms of Court for the Thirty-ninth Judicial District of Texas.

H. B. No. 628, A bill to be entitled "An Act amending Section 1, Section 4, and Section 5, repealing Section 8, and adding a new Section to be known as Section 3a, of Article 7047b, Revised Statutes of Texas, said Article being Sections 1, 2, 3, 4, 5, 6, 7, 8 and 9, Chapter 73, Acts of the Regular Session of the Forty-second Legislature, as amended by Acts of the Third Called Session of the Forty-fourth Legislature, Chapter 495, Article 4, Section 8, as amended by Chapter 3 and Chapter 4 of Subdivision II of the title 'Taxes of Taxation' of the Acts of the Regular Session of the Forty-sixth Legislature, as amended by Sections 1, 4, 5, and 8 of Article II, Chapter 184, Acts of the Regular Session of the Forty-seventh Legislature; providing for the adding of a new Section to be known as Section 3-a, providing for the finding of market value of gas by the Comptroller, and an appeal from his findings; providing a saving clause; providing that all taxes, penalties, and interest accruing to the State of Texas by virtue of any prior or existing tax laws before the effective date of this Act shall be pre-

served and shall remain valid and binding obligations and all liens and other obligations created shall remain in full force and effect; providing that this Act shall take effect and be in force on the first day of the month following its passage; and declaring an emergency."

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Bill 218 on Second Reading

The President laid before the Senate, as postponed business on its passage to engrossment (the bill having been read second time on April 2, 1945):

S. B. No. 218, A bill to be entitled "An Act amending Article 5732, Revised Civil Statutes of Texas, 1925, prescribing the units or standard of measure of capacity for liquids and prescribing discharge capacity of liquid measuring devices; and declaring an emergency."

On motion of Senator Jones, and by unanimous consent, the word "may" in the third line of the amendment to the bill adopted on April 2, 1945, was ordered changed to the word "shall."

The bill was passed to engrossment.

Senate Bill 218 on Third Reading

Senator Jones moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 218 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Metcalf
Brown	Moffett
Bullock	Parrish
Carney	Ramsey
Chadick	Spears
Crawford	Stanford
Graves	Stone
Hazlewood	Sulak
Jones	Taylor
Knight	Vick
Lane	Weinert
Lanning	Winfield
Martin	York
Mauritz	

Nays—1

Morris

Absent

Moore Shivers

Absent—Excused

Kelley

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Moore
Bullock	Parrish
Carney	Ramsey
Chadick	Shivers
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Mauritz	York
Metcalfe	

Nays—1

Morris

Absent—Excused

Kelley

House Bill on First Reading

The following bill, received from the House today, was laid before the Senate, read first time, and referred to the committee indicated.

H. B. No. 12, to the Committee on Labor.

Senate Joint Resolution 12 on Second Reading

The President laid before the Senate, on its second reading and passage to engrossment:

S. J. R. No. 12, Proposing an amendment to Section 10 of Article VII of the Constitution of the State of Texas, by adding subsections a, b, c, and d thereto, providing for the re-location of the Medical Branch of the University of Texas.

The resolution was read second time.

Question—Shall the resolution be passed to engrossment?

Bills and Resolution Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following bills and resolution:

S. B. No. 39, "An Act to amend Title 32, Chapter 2, Acts of the 40th Legislature of 1927, Chapter 275, page 414, known as Article 1303b, Revised Civil Statutes of 1925, as amended, to authorize the creation of private corporations for all the purposes set forth in said Article 1303b, and in addition to authorize the creation of private corporations for the purpose of acting as Trustees under any lawful express trust which has been or may be committed to it by contract of will; and declaring an emergency."

S. B. No. 161, "An Act amending Title 61, Article 3883 of the Revised Statutes of the State of Texas, providing for the maximum compensation of County officials in any County where the population is not less than ten thousand two hundred and fifty (10,250) inhabitants, nor more than ten thousand three hundred and fifty (10,350) inhabitants, according to the last preceding Federal census, and which has a tax valuation of not less than Thirteen Million One Hundred Thousand (\$13,100,000.00) Dollars, according to the last approved tax roll; and declaring an emergency."

S. B. No. 116, "An Act authorizing and empowering the Board of Regents of the University of Texas to levy a regular, fixed student fee for the purpose of operating, maintaining, and improving, the Texas Union Building at the University of Texas, fixing the amount of said fee, and authorizing the auditor of the University of Texas to collect the same, and providing the purposes of which said fee shall be used and placing the control of the fees in the hands of the Board of Directors of the Texas Union Building, and providing for a budget for the operation of said building, and declaring an emergency."

S. B. No. 55, "An Act amending Article 2943 of the Revised Civil Statutes of Texas, 1925, by increasing the pay of election Judges and Clerks, and declaring an emergency."

S. B. No. 126, "An Act to amend Section 2, Section 3, Subsection F of Section 7, Section 12, Section 14, Subsection G, Subsection H and Subsection L of Section 25, Section 26, Section 33, Subsection B of Section 35, Section 42, and Section 46 of Senate Bill No. 251, Acts of 1943, 48th Legislature, p. 232, Ch. 148, so as to define "Trust" for the purpose of the Texas Trust Act, to specify the purpose for which a trust may be created and the capacities to create a trust, to correct clerical errors in the Texas Trust Act as originally enacted, to authorize corporate trustees to exercise stock rights and to retain shares so acquired, to specify the authority of trustees with respect to oil, gas and mineral properties, to govern the giving of bonds by trustees, to provide the methods of allocating principles and income and apportioning expenses between tenants and remaindermen, to provide that such methods shall apply only in cases wherein an express trust has been created, to specify the powers, duties and responsibilities of trustees in investment of trust funds; and declaring an emergency."

H. B. No. 83, "An Act amending S. B. No. 184, Acts 1941, 47th Leg. p. 549, ch. 346, sec. 1, (Art. 2326e.—Salaries for reporters in counties over 290,000), fixing the salaries of official shorthand reporters of each District Court, Criminal District Court and County Court-at-Law in all counties having a population in excess of two hundred ninety thousand (290,000) inhabitants, according to the last preceding, or any future, Federal census, at thirty-six hundred (\$3600) dollars per annum in addition to the compensation for transcript fees as now provided by law which said salary shall be payable monthly on approval of the Judge of such Court out of the General Fund, Officers Salary Fund, or the Jury Fund of each such county as may be determined by the Commissioners' Court of any such county, and declaring an emergency."

H. B. 602, "An Act repealing all local fishing laws on Lake Waco, its tributaries and all public waters in McLennan County; and declaring an emergency."

S. B. No. 8, "An Act amending Subsection 1 of Section 20 of Senate

Bill No. 111, Chapter 61, page 100 of the General Laws passed by the Second Called Session of the Forty-first Legislature, as thereafter amended, providing that the name assumed by the association shall not be the name assumed by any other association incorporated under this law, nor so similar to be liable to mislead; providing that name assumed by the association, hereafter chartered shall contain the words "building and loan association," or "saving association" or "savings institution"; and providing that associations heretofore chartered may; by amendment to their charter, change the name of their association so as to provide for such terminology; and declaring an emergency."

H. B. No. 559, "An Act to reorganize the 97th Judicial District of the State of Texas; providing for holding the district courts and terms in said Judicial District; providing that the Judges of the Court may hold as many sessions of court in any term of the court in any county as is deemed proper and expedient; providing that all process and writs heretofore issued and all recognizances and bonds heretofore made and executed and returnable to existing terms of the district court in the counties composing said District together with jurors heretofore selected, are valid and returnable to the first term of such court after this Act takes effect; providing that the county attorneys of the respective counties within said 97th Judicial District shall perform the duties of district attorneys in their counties as well as the duties now performed by them, and providing fees of office for such county attorneys; and declaring an emergency."

H. B. No. 148, "An Act to permit corporations organized under the laws of this State, for religious, charitable, benevolent, or educational purposes (other than colleges, universities, academies, or seminaries), to hold meetings and elect officers and trustees, within or without the State of Texas; and declaring an emergency."

H. C. R. No. 52, Relative to consideration of the biennial appropriation bills.

Recess

On motion of Senator Graves, the Senate, at 12:25 o'clock p. m., took recess to 2:30 o'clock p. m., today.

Afternoon Session

The Senate met at 2:30 o'clock p. m., and was called to order by the President.

House Bills on First Reading

The following bills, received from the House today, were laid before the Senate, read, and referred to the committees indicated:

H. B. No. 628, to the Committee on Oil, Gas, and Conservation.

H. B. No. 535, to the Committee on Judicial Districts.

Senate Bill 172 on Second Reading

On motion of Senator Ramsey, and by unanimous consent, the regular order of business was suspended to take up on its second reading and passage to engrossment:

S. B. No. 172, A bill to be entitled "An Act authorizing official district court reporters to take depositions of witnesses, to do all things necessary in the taking of such depositions; providing that such reporters shall have authority to perform such acts within any county in the State of Texas; providing that same shall be cumulative of all existing laws; and declaring an emergency."

The President laid the bill before the Senate on its second reading.

The bill was read second time and was passed to engrossment.

Senate Bill 172 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 172 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Crawford
Brown	Graves
Bullock	Hazlewood
Carney	Jones
Chadick	Knight

Lane	Shivers
Lanning	Spears
Martin	Stanford
Mauritz	Stone
Metcalf	Sulak
Moffett	Taylor
Moore	Vick
Morris	Weinert
Parrish	Winfield
Ramsey	York

Absent—Excused

Kelley

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield
Metcalf	York

Absent—Excused

Kelley

Message from the Governor

The following message was received today, read before the Senate, and referred to the Committee on Nominations of the Governor:

Austin, Texas,
April 9, 1945.

To the Senate of the Forty-ninth Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointments:

To be Public Weigher in and for the City of Corpus Christi, Nueces County, for a two year term to expire April 10, 1947:

Frank W. Crook of Corpus Christi, Nueces County.

To be Public Weigher in and for Tarrant County for a two year term to expire April 18, 1947:

Ben T. Newby of Fort Worth, Tarrant County.

To be Public Weigher in and for Harris County for a two year term to expire April 10, 1947:

H. C. Hix of Houston, Harris County.

Respectfully submitted,
COKE R. STEVENSON,
Governor of Texas.

Senate Joint Resolution 12 on Passage to Engrossment

The Senate resumed consideration of pending business, same being S. J. R. No. 12 by Mauritz, relating to the removal of the Medical Department of the University of Texas, on its passage to engrossment.

Question—Shall the resolution be passed to engrossment?

(Senator Taylor in the Chair)

Senator Stone moved to table the resolution.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—13

Bullock	Ramsey
Crawford	Stone
Hazlewood	Sulak
Knight	Taylor
Martin	Weinert
Moore	York
Parrish	

Nays—15

Aikin	Metcalf
Brown	Moffett
Chadick	Morris
Graves	Spears
Jones	Stanford
Lane	Vick
Lanning	Winfield
Mauritz	

Absent

Carney Shivers

Absent—Excused

Kelley

Senator Aikin offered the following amendment to the resolution:

Amend S. J. R. 12 by striking out the word "shall" in line 14, page 1, and insert in lieu thereof the word "may."

Senator Stone moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—13

Bullock	Shivers
Crawford	Stanford
Knight	Stone
Martin	Sulak
Moore	Taylor
Parrish	Weinert
Ramsey	

Nays—16

Aikin	Mauritz
Brown	Metcalf
Chadick	Moffett
Graves	Morris
Hazlewood	Spears
Jones	Vick
Lane	Winfield
Lanning	York

Absent

Carney

Absent—Excused

Kelley

Question recurring on the amendment, it was adopted.

S. J. R. No. 12 then was passed to engrossment by the following vote:

Yeas—15

Aikin	Metcalf
Brown	Morris
Chadick	Spears
Graves	Stanford
Jones	Vick
Lane	Winfield
Lanning	York
Mauritz	

Nays—13

Bullock	Ramsey
Crawford	Shivers
Hazlewood	Stone
Knight	Sulak
Martin	Taylor
Moore	Weinert
Parrish	

Present—Not Voting

Moffett

Absent

Carney

Absent—Excused

Kelley

Senate Bill 318 on First Reading

Senator Lanning moved that the

rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield
Metcalf	York

Absent—Excused

Kelley

The following bill then was introduced, read first time and referred to the Committee on Finance:

By Senator Lanning:

S. B. No. 318, A bill to be entitled "An Act making an appropriation for the support and maintenance of the Judiciary of the State of Texas for the biennium beginning September 1, 1945, and ending August 31, 1947; requiring certain fees paid to clerks or officers of all Appellate Courts to be deposited monthly in the State Treasury; prescribing certain rules and restrictions respecting the expenditures of appropriations made herein; suspending all laws in conflict herewith; declaring the invalidity of any portion of this Act shall not affect any other portion; and declaring an emergency."

Senate Joint Resolution 18 on Second Reading

The Presiding Officer laid before the Senate, on its second reading and passage to engrossment:

S. J. R. No. 18, Proposing an amendment to the Constitution of the State of Texas by adding a new Section to be known as Section 17 of Article VII providing that the Legislature shall appropriate the Available University Fund in the proportion of one-third (1/3) to the Agricultural and Me-

chanical College of Texas and the balance to the University of Texas for the support, maintenance, and operation of and the acquiring of permanent improvements at said institutions, and empowering the Legislature to authorize the governing boards of said institutions to pledge the Available University Fund as hereby apportioned or any part thereof to secure bonds or notes issued for the purpose, or to refund bonds or notes issued for the purpose, of constructing buildings or other permanent improvements on the campus of said institutions; etc., and declaring an emergency."

The resolution was read second time.

Senator Winfield offered the following amendment to the resolution:

Amend S. J. R. No. 18 by striking out all below resolving clause of said resolution and inserting in lieu thereof the following:

Section 1. That the Constitution of the State of Texas be and the same is hereby amended so as to add a new Section to be known as Section 17 of Article VII to read as follows:

"Sec. 17. For the support, maintenance, and operation of and the construction and acquiring of permanent improvements at the Agricultural and Mechanical College of Texas and at The University of Texas, the Legislature shall appropriate to the Agricultural and Mechanical College of Texas one-third (1/3) of all that part of the net Available University Fund arising from the two million (2,000,000) acres of land appropriated to The University of Texas by the Constitution of 1876 and by the Act of April 10, 1883, excepting income from grazing leases on said University Lands, and shall appropriate to The University of Texas all of the balance of the net Available University Fund, including the income arising from grazing leases on said University Lands and the income arising from the investment of the proceeds of the sale of the original fifty leagues of land granted to The University of Texas by Chapter 116 of the Acts of the Seventh Legislature of Texas, approved February 11, 1858. The Legislature shall have the power to authorize the Board of Directors of the Agricultural and Mechanical College of Texas and the Board of Regents of The University of Texas to pledge the portion of the Available University

Fund as hereby apportioned, or any part thereof, to secure bonds or notes issued for the purpose of constructing or acquiring buildings or other permanent improvements on the campus of their respective institutions. Such bonds or notes shall be issued in such amounts as may be determined by the Legislature; provided that the Permanent University Fund may be invested in such bonds or notes and that the Permanent University Fund, and no other purchaser, shall be entitled to purchase such bonds or notes; and provided further that of the bonds or notes to be issued by the Board of Directors of the Agricultural and Mechanical College of Texas there shall never be outstanding at any one time an aggregate par value in excess of ten (10) per centum of the Permanent University Fund, other than University Lands, and that of the bonds or notes to be issued by the Board of Regents of the University of Texas there shall never be outstanding at any one time an aggregate par value in excess of twenty (20) per centum of the Permanent University Fund, other than University Lands; and provided further that no bond or note to be issued by either Board pursuant hereto shall ever be made to mature more than twenty (20) years from the date of such bond or note."

Sec. 2. Said proposed amendment shall be voted on by the electors of this State qualified to vote on Constitutional Amendments at an election to be held throughout the State on the last Saturday in August, A. D. 1945, at which each voter opposing said amendment shall scratch off the ballot with pen or pencil the following words printed thereon:

'FOR the Amendment to the State Constitution providing for the support, maintenance and operation of and the acquiring of permanent improvements at the Agricultural and Mechanical College of Texas and at The University of Texas through legislative appropriation and by a distribution of the Available University Fund between said institution, and empowering the Legislature to authorize the governing boards of said institutions to pledge their respective portions of said fund for the purpose of securing bonds or notes for the acquiring of permanent improvements upon the campus of their respective institutions, said bonds or notes to be in such amounts as shall be determined

by the Legislature and to be purchased exclusively for the Permanent University Fund and limiting the aggregate amount of said bonds or notes that shall be outstanding at any one time, and providing the maximum term of said bonds or notes shall never exceed twenty (20) years."

And each voter favoring said amendment shall scratch off the ballot in the same manner the following words printed thereon:

AGAINST the amendment to the State Constitution providing for the support, maintenance and operation of and the acquiring of permanent improvements at the Agricultural and Mechanical College of Texas and at The University of Texas through legislative appropriation and by a distribution of the Available University Fund between said institutions and empowering the Legislature to authorize the governing boards of said institutions to pledge their respective portions of said fund for the purpose of securing bonds or notes for the acquiring of permanent improvement upon the campuses of their respective institutions, said bonds or notes to be in such amounts as shall be determined by the Legislature and to be purchased exclusively for the Permanent University Fund and limiting the aggregate amount of said bonds or notes that shall be outstanding at any one time, and providing the maximum term of said bonds or notes shall never exceed twenty (20) years."

Sec. 3. The Governor shall issue the necessary proclamation calling said election and have the same published and said election held in accordance with this Resolution and the Constitution and Laws of the State; and if said amendment is adopted by the required vote of the qualified electors of this State, the Governor shall issue his proclamation as required by law.

The amendment was adopted.

Motion to Adjourn

Senator Chadick moved that the Senate adjourn until 10:00 o'clock a. m., tomorrow.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—11

Bullock	Hazlewood
Chadick	Knight
Crawford	Lane

Lanning
Martin
Moffett

Parrish
Stone

Nays—18

Aikin	Shivers
Brown	Spears
Graves	Stanford
Jones	Sulak
Mauritz	Taylor
Metcalfe	Vick
Moore	Weinert
Morris	Winfield
Ramsey	York

Absent

Carney

Absent—Excused

Kelley

Senator Parrish offered the following amendment to the resolution:

Amend Senate Joint Resolution No. 18 by striking out all below the enacting clause, and inserting in lieu thereof the following:

Section 1. That the Constitution of the State of Texas be and the same is hereby amended by adding a new Section to Article VII thereof, to be Section 17, to read as follows:

"Section 17. The Legislature shall appropriate the Available University Fund, consisting of the income received from the Permanent University Fund in the proportion of thirty-two (32%) per cent to the University of Texas, sixteen (16%) per cent to the Agricultural and Mechanical College of Texas and the balance to be appropriated to the other state owned colleges and universities for the acquiring of permanent improvements at said institutions. The Legislature shall have the power to authorize the Board of Control to pledge the Available University Fund as hereby apportioned or any part thereof to secure negotiable bonds or notes issued for the purpose, or to refund bonds or notes issued for the purpose, of constructing or acquiring buildings or other permanent improvements on the campuses of their respective institutions. Such bonds or notes shall be in such amounts as may be determined by the Legislature and shall mature not later than thirty (30) years from their dates. The University Permanent Fund may be invested in such bonds or notes."

Sec. 2. Said proposed Amendment

shall be voted on by the electors of this State qualified to vote on Constitutional Amendments at an election to be held throughout the State on the first Tuesday after the first Monday in August, A. D. 1945, at which each voter opposing said Amendment shall scratch off of the ballot with pen or pencil the following words printed thereon:

"FOR the amendment to the State Constitution authorizing the Legislature to appropriate the Available University Fund in the proportion of thirty-two (32) per cent to the University, sixteen (16%) per cent to the Agricultural and Mechanical College of Texas and the balance to be appropriated to other State owned colleges and universities in Texas, and giving the Legislature power to authorize the Board of Control to pledge the Available University Fund to secure bonds or notes issued for the purpose, or to refund bonds or notes issued for the purpose, of acquiring permanent improvements on the campuses of said institutions, and providing that the amount of such obligation shall be determined by the Legislature and to mature not later than thirty (30) years from date, and authorizing the investment of the University Permanent Fund in such bonds or notes."

"AGAINST the Amendment to the State Constitution authorizing the Legislature to appropriate the Available University Fund in the proportion of thirty-two (32) per cent to the University, sixteen (16%) per cent to the Agricultural and Mechanical College of Texas and the balance to be appropriated to other State owned colleges and universities in Texas, and giving the Legislature power to authorize the Board of Control to pledge the Available University Fund to secure bonds or notes issued for the purpose, or to refund bonds or notes issued for the purpose, of acquiring permanent improvements on the campuses of said institutions, and providing that the amount of such obligation shall be determined by the Legislature and to mature not later than thirty (30) years from date, and authorizing the investment of the University Permanent Fund in such bonds or notes."

Sec. 3. The Governor shall issue the necessary proclamation calling said election and have the same published and said election held in accordance with this Resolution and the

Constitution and Laws of the State; and if said Amendment is adopted by the required vote of the qualified electors of this State, the Governor shall issue his proclamation as required by law.

Sec. 4. The sum of Five Thousand (\$5,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriation out of any funds in the State Treasury not otherwise appropriated to pay the expenses of such publication and election.

Senator Shivers moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—20

Aikin	Morris
Brown	Ramsey
Graves	Shivers
Hazlewood	Spears
Jones	Stanford
Lane	Taylor
Martin	Vick
Metcalf	Weinert
Moffett	Winfield
Moore	York

Nays—6

Bullock	Parrish
Crawford	Stone
Knight	Sulak

Absent

Carney	Lanning
Chadick	Mauritz

Absent—Excused

Kelley

Senator Lane moved to table the resolution.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—10

Aikin	Graves
Brown	Lane
Bullock	Morris
Chadick	Parrish
Crawford	Vick

Nays—19

Hazlewood	Mauritz
Jones	Metcalf
Knight	Moffett
Lanning	Moore
Martin	Ramsey

Shivers	Taylor
Spears	Weinert
Stanford	Winfield
Stone	York
Sulak	

Absent

Carney

Absent—Excused

Kelley

(President in the Chair)

Senator Moore offered the following amendment to the resolution:

Amend Section 1 of S. J. R. No. 18, by striking out the words "never be outstanding at any one time an aggregate" in both places where such appears and inserting in lieu thereof the words "not exceed (other than those bonds now outstanding) a" and by striking out "10%" and "20%" respectively and insert in lieu thereof "6%" and "12%," respectively, and amend caption to conform.

The amendment was adopted.

Senator Winfield offered the following amendment to the resolution:

Amend the Caption of S. J. R. No. 18 so as to conform the same to the body thereof as amended by striking out said Caption and inserting in lieu thereof the following:

"Proposing an Amendment to the Constitution of the State of Texas by adding a new section to be known as Section 17 of Article VII providing for the support, maintenance, and operation of and the acquiring of permanent improvements at the Agricultural and Mechanical College of Texas and at The University of Texas, by authorizing the Legislature to appropriate to the Agricultural and Mechanical College of Texas one-third (1/3) of that part of the net Available University Fund arising from the two million (2,000,000) acres of land appropriated to the University of Texas by the Constitution of 1876 and by the Act of April 10, 1883, excepting income from the grazing leases, and to appropriate to The University of Texas the balance of said net Available University Fund, including the income from grazing leases and the income from the investment of the proceeds acquired from the sale of the original fifty (50) league grant; and empowering the Legislature to authorize the

governing boards of said institutions to pledge their respective portions of said Available University Fund, or any part thereof, to secure bonds or notes issued for the purpose of acquiring permanent improvements on the campuses of said institutions; providing that said bonds or notes shall be issued in such amounts as may be determined by the Legislature and authorizing the investment of the Permanent University Fund therein and prohibiting the sale thereof to any other purchaser and limiting the amount of bonds or notes to be issued by the Board of Directors of the Agricultural and Mechanical College of Texas to an aggregate par value at any time outstanding not in excess of ten (10) per centum of the Permanent University Fund, other than lands, and limiting the amount of bonds or notes to be issued by the Board of Regents of The University of Texas to an aggregate par value at any time outstanding of not in excess of twenty (20) per centum of the Permanent University Fund, other than lands; and fixing the maximum of said bonds or notes not to exceed twenty (20) years; providing for the submission of this amendment to a vote of the people of Texas, providing the time and manner thereof and directing the Governor to issue his proclamations thereon.

The amendment was adopted.

Question recurring on the passage of the resolution to engrossment, yeas and nays were demanded.

S. J. R. No. 18 was passed to engrossment by the following vote:

Yeas—15

Hazlewood	Shivers
Jones	Spears
Lanning	Stone
Martin	Taylor
Metcalf	Weinert
Moffett	Winfield
Moore	York
Ramsey	

Nays—11

Aikin	Morris
Brown	Parrish
Chadick	Stanford
Crawford	Sulak
Graves	Vick
Lane	

Absent

Knight	Carney
Bullock	Mauritz

Absent—Excused

Kelley

Message from the House

Hall of the House of Representatives
Austin, Texas,
April 10, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 59, A bill to be entitled "An Act providing for the education of physically handicapped children of Texas; creating a Division of Special Education in the State Department of Education; defining terms; providing for an appropriation to cover the costs incurred under this Act; setting forth general procedure; providing for the employment and compensation of teachers especially qualified in the work of educating crippled or otherwise badly handicapped children; providing for the employment of a teacher co-ordinator by the Division of Special Education; providing for the establishment of special classes in approved treatment institutions; providing for the admission to and discharge from special educational classes set up under this Act; providing a savings clause; repealing all laws or parts of laws in conflict with this Act to the extent of this conflict only; and declaring an emergency."

The House has adopted the Conference Committee report on H. B. No. 241 by a vote of 116 yeas and 2 nays.

The House has refused to concur in the Senate amendment to H. B. 206 and requests a conference committee to adjust differences between the two Houses on the bill.

Respectfully submitted,

CLARENCE JONES,
Chief Clerk House of Representatives

**Conference Committee on House
Bill 206**

Senator Lanning called for the consideration at this time of the request of the House for a conference committee to adjust the differences between the two Houses on H. B. No. 206 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate: Senators Lanning, Aikin, Weinert, Ramsey and Martin.

Bill Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following bill:

H. B. No. 241, A bill to be entitled "An Act amending Section 1 of House Bill No. 165, Chapter 81, of the Acts of the Regular Session of the Forty-fifth Legislature of the State of Texas, passed at its regular session, fixing the compensation of certain designated district, county and precinct officers in counties having a population in excess of two hundred fifty-five thousand (255,000) inhabitants and less than three hundred and fifty-five thousand (355,000) inhabitants according to the last preceding or any future Federal census, repealing all laws in conflict herewith to the extent of such conflict only, and declaring an emergency."

Adjournment

On motion of Senator Moore, the Senate, at 5:05 o'clock p. m., adjourned until 10:30 o'clock a. m. tomorrow.

FIFTY-SIXTH DAY

(Wednesday, April 11, 1945)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Metcalf
Brown	Moffett
Carney	Moore
Chadick	Morris
Crawford	Parrish
Graves	Ramsey
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	York

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal approved.

Leaves of Absence Granted

Senator Bullock was granted leave of absence for today on account of the death of his brother on motion of Senator Stanford.

Senators Winfield, Kelley, Shivers and Spears were granted leaves of absence for today on account of important business on motion of Senator Crawford.

Report of Standing Committee

Senator Lanning submitted the following report:

Austin, Texas,
April 11, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred S. B. No. 318, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANNING, Chairman.

Senate Bills 40 and 297 Set as Special Orders

Senator Mauritz moved that Senate Bill No. 40 and Senate Bill No. 297 be set as special orders for Monday, April 16, 1945, immediately following the morning call.

The motion prevailed by the following vote:

Yeas—22

Aikin	Moffett
Brown	Moore
Chadick	Morris
Crawford	Parrish
Graves	Ramsey
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Mauritz	Weinert
Metcalf	York

Nays—3

Carney	Vick
Martin	

Absent

Lanning